

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 22-MJ-588

NATHAN FOLLETT

Defendant

CRIMINAL COMPLAINT

I, Christopher Toscano, Task Force Officer, Federal Bureau of Investigations, the complainant in this case, state that the following is true to the best of my knowledge and belief:

Beginning or about February 27, 2016, through and including the present date, in the Western District of New York, the defendant **NATHAN FOLLETT** violated 18 U.S.C. § 2251(a), an offense described as follows:

The defendant did knowingly employ, use, persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which visual depictions were produced using materials that had been mailed, shipped or transported in or affecting interstate or foreign commerce; and

Beginning or about February 27, 2016, through and including the present date, in the Western District of New York, the defendant **NATHAN FOLLETT** knowingly violated 18 U.S.C. § 2252A(a)(2), an offense described as follows:

the defendant did knowingly receive and distribute material that contained child pornography using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer; and

On or about December 27, 2021, in the Western District of New York, the defendant **NATHAN FOLLETT** knowingly violated 18 U.S.C. § 2252A(a)(5), an offense described as follows:

The defendant did knowingly possess material that contained an image of child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

This Criminal Complaint is based on these facts:

SEE ATTACHED AFFIDAVIT OF CHRISTOPHER TOSCANO, TFO, FBI

Continued on the attached sheet.



Christopher Toscano
Complainant's signature

Christopher Toscano, TFO, FBI
Printed name and title

Application submitted by email/pdf and attested to me and before me as true and accurate by telephone consistent with Fed.R.Crim.P. 4.1 and 41(d)(3).



Judge's signature

Date: April 28, 2022

City and State: Rochester, New York

HON. MARK W. PEDERSEN, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF MONROE) SS:
CITY OF ROCHESTER)

I, CHRISTOPHER TOSCANO, being duly sworn, depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a sworn Task Force Officer with the Federal Bureau of Investigation and am a Deputy with the Monroe County Sheriff's Office. I have been a member of the Monroe County Sheriff's Office since February of 2012 and have been assigned to the Federal Bureau of Investigation, Child Exploitation Task Force since March of 2017. I am trained to investigate and have participated in investigations involving a wide range of local, state, and federal criminal violations. In my position with the FBI Child Exploitation Task Force, I am responsible for investigating crimes against children, including the distribution, receipt, and possession of child pornography, as well as coercion and enticement in violation of Title 18, United States Code, Sections 2251, 2252, 2252A and 2422.

2. The information contained in this affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers, and the review of documents and records.

3. This affidavit is submitted for the limited purpose of establishing probable cause to believe that NATHAN FOLLETT (hereinafter "FOLLETT") did knowingly employ, use, persuade, induce, entice or coerce a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, in violation of Title 18, United States

Code, Section 2251(a); did knowingly receive and distribute child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2); and did knowingly possess child pornography, in violation of Title 18, United States Code, Section 2252A(a)(5) (hereinafter, collectively the “TARGET OFFENSES”).

4. Because this affidavit is submitted for the limited purpose of establishing probable cause to secure a criminal complaint, I have not included every detail of the investigation. Rather, I have set forth only the facts that are necessary to establish probable cause to believe that FOLLETT did commit the TARGET OFFENSES.

PROBABLE CAUSE

Initial Complaint from Minor Victim 1

5. On August 17, 2021, I was notified by the Monroe County Sheriff’s Office (“MCSO”) that they had received a report *via* email indicating that Rochester resident FOLLETT, was in possession of sexual images of 17- and 14-year-old minors. According to the report, FOLLETT also admitted to having sex with a minor without her consent.

6. On August 17, 2021, I called the reporting person, a 17-year-old (hereinafter “MV1”). During this phone conversation, MV1 told me the following:

7. MV1 first met FOLLETT on Instagram when MV1 was 15 years old. FOLLETT’s Instagram username was “Nate_discography.” When they first met online, FOLLETT told MV1 that he was 18 years old. MV1 indicated that communications were short on Instagram and the two moved to communicating *via* Snapchat and text messaging.

FOLLETT's phone number was "XXX-XXX-2924" and his Snapchat account was "kinkbmx023."

8. MV1 went on to say that, while communicating with FOLLETT *via* Snapchat, FOLLETT confessed to having sex on multiple occasions with a 15-year-old when he was 25 years old. MV1 was confused by this statement because MV1 believed FOLLETT was younger. When asked by MV1, FOLLETT admitted to being 35 years old.

9. I asked MV1 if MV1 ever exchanged photographs or videos with FOLLETT and MV1 stated "yes." When asked what the two had exchanged with one another, MV1 indicated she sent FOLLETT sexual images at his request. When asked what type of images MV1 sent, MV1 stated "chest and back area." When asked what MV1 meant by back area, MV1 stated "buttocks." When asked if any other images were sent or requested, MV1 stated "yes" and indicated FOLLETT asked to see other things. When asked what specifically FOLLETT had requested, MV1 stated FOLLETT had asked "let me see your pussy." MV1 indicated that at no time did she ever send such image to FOLLETT. MV1 then indicated that FOLLETT on many occasions sent images of his "dick" to MV1. MV1 recalled one incident in which the two had engaged in video chat and during that time, FOLLETT began touching himself and proceeded to show MV1 his penis.

10. MV1 indicated that she has been communicating with FOLLETT for approximately two years and, during that time, FOLLETT provided his credit card number to MV1 and allowed her to make purchases on his credit card. When asked what type of purchases FOLLETT allowed MV1 to make, MV1 indicated she could purchase things from

an online “pokemon store” or from “Victoria Secret.” MV1 did provide credit card information associated with FOLLETT.

11. MV1 further indicated that FOLLETT wanted to meet her in person to engage in “sexual stuff.” When asked how the two would meet, MV1 indicated that she has family in the Western District of New York and that FOLLETT tried to coordinate visiting MV1 when she was visiting those family members. When asked what type of sexual stuff FOLLETT wanted to do when the two met in person, MV1 stated “give head in car.”

12. At the time of the interview, MV1 indicated that she was no longer in communication with FOLLETT and that she blocked him. MV1 indicated this occurred approximately a month or two ago but could not exactly remember the time frame. MV1 did disclose that she notified FOLLETT about her desire to notify Law Enforcement. When asked how FOLLETT responded, MV1 indicated that FOLLETT responded and indicated he was going to kill himself and be dead before ever going to jail.

13. MV1 further stated that FOLLETT has a TikTok account and poses as a younger male online. MV1 indicated that FOLLETT is infatuated with younger girls which is why MV1 came forward. MV1 indicated being worried about FOLLETT and his attraction to minors.

14. MV1 gave me screen shots of Snapchat messages with FOLLETT. I reviewed those screen shots and observed the following:

- a. “Nathan” stated “I want you like 11 years old and I’ll pin you down and fuck you”
- b. “Nathan” stated “You know I like younger girls..”

- c. "Nathan" stated "When I was 25 I had sex with a 15 year old for a while so.."
- d. "Nathan" stated "No...I like younger girls more than my age..."
 - i. MV1 stated "Like minors?"
 - ii. "Nathan" stated "Yea"
 - iii. MV1 stated "Thats why u like me. I look 11"
 - iv. "Nathan" stated "Yea..... that's it..."

Search of FOLLETT's Snapchat Account

15. On September 24, 2021, I obtained a search warrant signed by Hon. Marian W. Payson authorizing a search and seizure of the Snapchat account associated with the username "kinkbmx023."

16. I have since received and reviewed the materials produced by Snapchat pursuant to the September 24, 2021 warrant.

17. Snapchat's search warrant return contained the following subscriber information:

| Username | Email Address | Created | Display Name |
|------------|----------------------------|------------------|--------------|
| kinkbmx023 | nfollett.kinkbmx@gmail.com | Sat Jun 29, 2013 | Nathan |

18. In the course of my review, I observed several communications between "kinkbmx023" (one of FOLLETT's usernames) and other Snapchat users who indicate that they are minors.

19. Also contained within the search warrant results was a history of IP data. I observed several IP addresses that Snapchat user “kinkbm023” utilized to login and logout of his account. The IP addresses included the following:

50.48.128.2
50.48.173.39
50.48.131.199
50.48.181.195
50.48.181.211

20. A subpoena was sent to Frontier Communications requesting subscriber information for the IP addresses listed in Paragraph 19, above. According to Frontier’s response, the subscriber information for each of the IP addresses was FOLLETT’s father at 25 Wilsonia Road, Rochester, NY 14609.

21. The search warrant results also indicated that the account owner utilized the phone number XXX-XXX-2924. That is the same number MV1 provided and indicated belonged to FOLLETT.

22. Also contained within the search warrant results were images and videos of a male who matched FOLLETT’s appearance in a DMV photo.

Interview of FOLLETT

23. On December 16, 2021, Special Agent Barry Couch and I interviewed FOLLETT in the driveway of 25 Wilsonia Road. In sum and substance, FOLLETT acknowledged the Snapchat account kinkbm023 belonged to him.

24. FOLLETT was shown an image depicting the face of a female (Minor Victim 3 (“MV3”), discussed below) and asked if he recognized this female. Upon being shown this image, FOLLETT indicated vaguely.

25. FOLLETT was then shown screen captures of Snapchat communications between FOLLETT and MV3. FOLLETT indicated he vaguely remembered communicating with MV3 and indicated the last time he talked with her was “probably I wanna say sometime in the summer around there, end of summer.”

26. When asked if FOLLETT knew that the girl he was speaking with was “14,” FOLLETT stated “ya.” FOLLETT indicated that he regretted communicating with MV3.

27. FOLLETT was then read the following Snapchat message that he sent to MV3: “Show daddy your ass now slowly pulling your shorts down” and “send video of you naked.” When asked if FOLLETT remembered sending this message, FOLLETT stated “vaguely, I was drinking a lot over the summer.”

28. FOLLETT was shown two photographs depicting screen captures of videos sent by MV3. These photographs depict a female exposing her vagina and, in one photograph, masturbating. When asked if FOLLETT remembered getting these, FOLLETT stated “ya.” When FOLLETT was informed that he cannot have these from a 14-year-old, FOLLETT stated “ya I know.”

29. When asked what propelled FOLLETT to talk with a 14-year-old, FOLLETT stated he has been “single for almost three years.” When asked if FOLLETT was talking to several other girls who were 12, 13 or 14 years old, FOLLETT stated there “might have been

couple others.” When asked if FOLLETT understood that “this” (referring to the videos obtained from MV3) is child pornography, FOLLETT stated “I understand.” When asked if FOLLETT knew this stuff is illegal, FOLLETT nodded his head indicating “yes.”

30. When asked if FOLLETT found himself masturbating to “this stuff,” FOLLETT indicated yes by nodding his head. FOLLETT further stated, “wasn’t like ya I’m proud of it.”

Search of FOLLETT’s Residence

31. On or about December 7, 2021, I obtained a warrant signed by the Hon. Mark W. Pedersen to search FOLLETT’s residence at 25 Wilsonia Road, Rochester, New York, 14609, for evidence of, *inter alia*, the TARGET OFFENSES.

32. On December 16, 2021, after I interviewed FOLLETT, the search warrant was executed, and several digital devices were seized from FOLLETT’s residence. Among the digital devices seized were a Western Digital My Passport Ultra, a Motorola XT1575 cell phone (hereinafter “Motorola Cell Phone 1”) and a Motorola XT1585 cell phone (hereinafter “Motorola Cell Phone 2”).

33. During the execution of the search warrant, FOLLETT notified SA Couch that he only owned two computers and directed SA Couch to those two computers located in FOLLETT’s bedroom. FOLLETT further provided a pass code for his current cell phone, a Samsung Galaxy. During the search of FOLLETT’s bedroom, an HP Laptop Spectre X360 was located under the mattress of FOLLETT’s bed. Next to the HP Laptop was a small plastic bag that contained a white powdery substance.

34. I turned the Samsung Galaxy cell phone on to place it into airplane mode and to verify the passcode provided by FOLLETT was accurate. Upon turning the Samsung Galaxy cell phone on, I observed the cell phone had been factory reset.

35. After the search warrant was executed, SA Christa Thomas and I spoke with FOLLETT again. The interview with FOLLETT took place on the front lawn of FOLLETT's residence. FOLLETT identified the white powdered substance as cocaine and indicated he got it from a co-worker.

36. FOLLETT was shown the Samsung Galaxy cell phone and was asked if FOLLETT had wiped the cell phone after learning that the FBI was there. FOLLETT responded, "ya."

37. FOLLETT then informed us that he had been communicating with another girl who had just turned 18. When asked what this girl's name was, FOLLETT provided MV1's first name. FOLLETT further indicated that he had problems with this girl over the summer because of "things" said by this girl. When asked what was said, FOLLETT indicated this girl just turned 18 and talked about getting into trouble. When asked how long FOLLETT had been talking with her, FOLLETT stated "not too long." When asked for clarification on what FOLLETT meant by not too long, FOLLETT stated "probably about a year."

38. I then clarified with FOLLETT regarding him wiping his cell phone. I asked whether FOLLETT wiped his phone because of his conversations with MV1. FOLLETT responded, "ya shes 18 now though." When asked where she lives, FOLLETT named the state where I know MV1 lives. When asked what was on FOLLETT's cell phone that

prompted him to wipe it, FOLLETT stated, “pictures of her.” When asked if FOLLETT ever received pictures of this girl, specifically of her vagina, FOLLETT stated “no.”

39. When asked about other social media applications utilized by FOLLETT, FOLLETT acknowledged utilizing KIK several years ago. FOLLETT was then informed about the finding of the HP Laptop Spectre X360. When asked about the Laptop, FOLLETT indicated he was “nervous.” When asked if stuff would be on there, FOLLETT stated, “might be” and that he might have put a “picture or two on there.” When asked whether these pictures were from Snapchat, FOLLETT responded “ya.” FOLLETT indicated that he got the HP Laptop Spectre X360 over the summer.

Review of FOLLETT'S Electronic Devices

40. On December 27, 2021, I reviewed the contents of the Western Digital My Passport Ultra. I observed a folder titled “Nathan” that contained several sub-folders. I reviewed each sub-folder and observed, among many things, several images and videos of females exposing their genitals. As is set forth in detail below, many of these females were subsequently identified as minor victims.

41. The Western Digital My Passport Ultra bears markings that indicate it is a “Product of Malaysia.”

42. On December 21, 2021, I submitted Motorola Cell Phone 1 and Motorola Cell Phone 2 to the Regional Computer Forensics Laboratory (RCFL) for examination. RCFL performed extractions of both devices and provided the extractions to me for my review.

43. Based on conversations I had with a representative of Motorola, Motorola Cell Phone 1 and Motorola Cell Phone 2 were manufactured in China.

44. In total, the three digital devices contained approximately 106 images and 47 videos of child pornography.

45. I also submitted an HP laptop, Dell Desktop, and HP Spectre X360—all of which were seized from 25 Wilsonia Road—to the RCFL for examination. I am still awaiting the results.

Summary of Follett's Interactions with Minor Victims 2 through 11

46. Below is a summary of the evidence I have compiled from the above-listed sources with respect to 11 separate Minor Victims.

Minor Victim 2

47. Upon reviewing the Western Digital My Passport Ultra, I noticed that a number of images appeared to depict the same minor female (hereinafter “MV2”).

48. In these images, MV2 was sometimes clothed and sometimes unclothed. In one image, MV2’s naked breasts are exposed. In another image, MV2’s naked vagina is exposed and prominently displayed. In a third image, MV2’s naked vagina is exposed, and her hand is touching it. Based on my training and experience, I believe that the second and third images described in this Paragraph constitute child pornography, as defined by Title 18, United States Code, Section 2256(8).

49. In the images, I observed MV2's Snapchat username. I conducted an open-source search of the Snapchat username and was able to identify MV2.

50. On January 3, 2022, I interviewed MV2. MV2 is now an adult.

51. I showed MV2 the images described in Paragraph 48, above. MV2 identified herself as the female depicted in those images.

52. MV2 indicated that she was under the age of 17 when the pictures were taken. MV2 indicated that one of the images was taken in her bedroom in Rochester, New York, where she lived from age 14 to approximately 16 or 17.

53. One of the images described in Paragraph 48 that depicted MV2 exposing her vagina had the file name "Screenshot_20160501-223354.png." On the date indicated in that file name—05/01/2016—MV2 was 17 years old.

54. MV2 further indicated she was unsure who she sent these images to but that she never lied about her age.

Minor Victim 3

55. While reviewing FOLLETT's Snapchat account, I observed the following exchange between FOLLETT and an individual later identified as Minor Victim 3 (hereinafter "MV3"):

| | |
|-----------|----------------------------|
| kinkbm023 | Hey |
| MV3 | Hey I'm sending sum things |
| kinkbm023 | Okay |

kinkbm023 Heard you like being a slut for older guys
MV3 Yes
kinkbm023 How slutty u gonna be for me
MV3
MV3 Hmm idk yet
MV3 I guess we will see%2C how old r u anyways?
kinkbm023 24 hbu
MV3 14
kinkbm023 Send a face pic
MV3
kinkbm023 I'd fuck u
kinkbm023 Is Holden trying to be all daddy and tell you what to do
MV3 Yeah
kinkbm023 He sucks at it. I told him some girls are into that a while ago. I'm a real daddy. I wouldn't share my whore with anyone like he does. I've tied girls up and fucked them rough and left bruises to the point where they can't walk after.
MV3 That's sounds amazing
kinkbm023 Your head up against a wall while I fuck your throat until you almost puke.. my hand on your hair making you stare at me the whole time
MV3 I wish I could do that
kinkbm023 That's my ex and she had to beg to suck it in that position for a while until I shoved it down her throat
MV3 Damn okay
kinkbm023 U like that
MV3 Yes

kinkbm023 I'm sorry don't you mean yes master.

MV3 Yes sorry master

kinkbm023 I own you now. Not him anymore.

MV3 Yes master

kinkbm023 You'll only send to me now. I'm not sharing you. Understand?

MV3 I understand

kinkbm023 I don't care if he gets mad either I know your not the only girl he's talking to

MV3 Okayy

kinkbm023 You'll say Master or daddy when you say yes or okay to me. Understand?

MV3 I understand

kinkbm023 Good. If you break rules there will be punishments

...

kinkbm023 Wish I could come fuck and cuddle you

MV3 Yeah

kinkbm023 You going to sleep now

MV3 Yep

kinkbm023 Okay goodnight

MV3 Goodnight daddy

kinkbm023 Hey

MV3 Hey daddy

kinkbm023 What's my little slut up to

MV3 Just getting out of english

kinkbm023 Oh damn your in school

kinkbm023 I'm so hard rn I just woke up

MV3 Yeah I'm in school

kinkbm023 Can u send some anything else u got saved

MV3 Yes daddy

kinkbm023 Good girl

MV3

kinkbm023 That's my good little slut

MV3 Yes daddy just for you

kinkbm023 When are you out of school

MV3 In like three hours

kinkbm023 Damn I'll be at work when you get out

MV3 Aww

kinkbm023 I always have off Friday and Saturday so we can ft then

MV3 Okay

kinkbm023 How's school

MV3 Boring

kinkbm023 When u get home I want to see what u wore today and how sexy my little girl is

MV3 Okay daddy

kinkbm023 And from now on you'll only play with yourself with my permission and if you've earned it

kinkbm023 Understand?

MV3 Yes I understand

kinkbm023 Good girl

...

kinkbm023 Show daddy your ass now slowly pulling your shorts down

MV3 I gotta go to sleep I will tmr

kinkbm023 Okay. Send me a video of you naked in the morning getting dressed for me

MV3 Okay daddy

kinkbm023 Thank you princess and goodnight

kinkbm023 Good morning princess

MV3 Good morning daddy I'd make ur video but I'm late

kinkbm023 It's fine you'll do it after school

MV3 Yes daddy

kinkbm023 And you'll make it up to me for not doing it this morning

MV3 Ofc daddy

kinkbm023 How's school going

MV3 Boring but I've done all my work

kinkbm023 That's my good girl. What time do you get out

MV3 I have practice today so like around 6pm

kinkbm023 What sport do you play

MV3 I do marching and symphonic band

kinkbm023 What do you play

MV3 Trombone

kinkbm023 I used to play piano

MV3 Awesome

56. MV3 sent approximately 6 videos to “~~kinkbm~~x023.” One of the videos depicts a female naked with her vagina exposed and in some instances the female is masturbating. I reviewed the videos MV3 sent to FOLLETT *via* Snapchat and describe one as follows:

- a. “b~EiQSFVdQa29pRVpVR0dLRFFsQk5DelczchoAGgAyAX1IAIAEYAE”
– A video depicting MV3 naked with her breasts and vagina exposed. MV3 utilizing an object to masturbate.

57. Based on my training and experience, I believe that this file constitutes child pornography, as defined by Title 18, United States Code, Section 2256(8).

58. Using records obtained from Snapchat, I was able to identify MV3.

59. On January 13, 2022, MV3 was interviewed by a Child/Adolescent Forensic Interviewer (CAFI).

60. MV3 was 14 years old at the time of the interview.

61. MV3 confirmed her Snapchat username, confirmed she had the above-quoted communications with ~~kinkbm~~x023, and confirmed that she was the female depicted in the image described in Paragraph 56, above.

62. MV3 indicated that she told FOLLETT that she was 14 years old. MV3 further indicated that FOLLETT instructed her to send him explicit videos and threatened to share her videos if she did not continue sending more.

Minor Victim 4

63. While reviewing FOLLETT's Snapchat account, I observed the following exchange between FOLLETT and an individual subsequently identified as Minor Victim 4 (hereinafter "MV4"):

kinkbm023 You have to use manual mode and a tripod. Set your exposure so something long like 10 or 20 seconds then you need a low aperture and turn your iso up

MV4 Sent five external media messages. Your affiant did observe the five media messages and describe some as follows:

**EiQSFUZZN09wTDFBTWJtdFdScmVnNEcyRB0AGgAyAXx1A1AE
YAE** – A video depicting a female in the bathroom taking a shower. The female is naked with her breasts and vagina exposed and does begin to masturbate.

**EiQSFVFuc1dzR05UbFJqUGVxcVRkNDhUTxoAGgAyAxx1A1AEY
AE** – A video depicting a female removing her shirt and pajama's and exposing her breasts and vagina. The female is then seen bending over and spreading her buttocks as to further expose her vagina and anus.

kinkbm023 Yea your gonna be a good little slut for daddy (Saved = FALSE)

MV4 Sent two external media messages. Your affiant did observe the two media messages and describe one as follows:

**EiQSFWRsOEFwdzFGVHVXekNqZlh5TjVtRRoAGgAyAXx1A1AE
YAE** – A video depicting a female naked with her breasts and vagina exposed. The female is seen utilizing what appears to be a hairbrush to masturbate with. Further the female is heard saying "I want you to cum in my tight fuckin pussy cum in it daddy cum."

kinkbm023 Sorry I had to unadd you. This girl I kinda talked to said she called the cops on me. She's 17.. she told me she didn't want to talk anymore and I said okay. She got pissed and sent a pic of an email to a cop them another pic of a half hour call to that cop. Then later told me the email was fake and she called and talked to the cop and just asked questions said it was for a school project....I was freaking out

64. I have reviewed the videos described above and based on my training and experience, I believe they constitute child pornography, as defined by Title 18, United States Code, Section 2256(8).

65. Using a combination of details observed in the videos and records provided by Snapchat, I was able to identify MV4.

66. On February 2, 2022, MV4 was interviewed by a detective in Canada.

67. MV4 was 16 years old at the time of the interview.

68. During the interview, MV4 was shown Snapchat communications and screen shots from the videos described in Paragraph 63, above. MV4 confirmed her Snapchat username and positively identified herself as the female depicted in the screen shots.

69. MV4 further stated that she remembered “this guy” but indicated she did not recall the username kinkbm023. MV4 further indicated “that is the weird photography guy.”

70. MV4 was shown a photograph of FOLLETT and she was able to identify him as the individual she was communicating with *via* Snapchat. MV4 indicated that she believed she was 15 years old when she was communicating with FOLLETT and that she told FOLLETT she was 15.

Minor Victim 5

71. While reviewing the Western Digital My Passport Ultra external hard drive, Motorola Cell Phone 1, and Motorola Cell Phone 2, I observed approximately 290 images

and 32 videos of what appeared to be the same minor female, subsequently identified as Minor Victim 5 (hereinafter “MV5”). I reviewed the images and videos and describe two as follows:

- a. “14564482-8a2x-4fba-b0de-bb00e6c4c31d.mp4” – A video of MV5 naked with her vagina and breasts exposed. MV5 is observed laying on her bed and utilizing a hairbrush to masturbate. (Created 7/31/2016)
- b. “IMG_6355.MOV” – A video of MV5 removing her clothes and exposing her breasts and vagina. (Created 2/27/2016)

72. Based on my training and experience, I believe that both videos constitute child pornography, as defined by Title 18, United States Code, Section 2256(8).

73. Using details observed on MV5’s clothing in the videos and photographs and open-source searches, I was able to identify MV5.

74. On January 28, 2022, MV5 was interviewed by a Child/Adolescent Forensic Interviewer (CAFI). MV5 is currently an adult.

75. MV5 acknowledged communicating with “Nathan Follett” and further indicated she began talking with FOLLETT at the very end of seventh grade or the start of eighth grade. MV5 thought she would have been between twelve to fourteen years old. MV5 indicated that FOLLETT played disc golf and was interested in photography.

76. MV5 indicated that FOLLETT knew that she was in middle school because she talked about her classes and homework.

77. MV5 knew FOLLETT was from New York and assumed he was in high school because he told her he had a job, drove, and lived with his parents.

78. MV5 indicated she would talk on the phone with FOLLETT after her parents were in bed but could not recall FOLLETT's phone number anymore.

79. MV5 went on to say that, at some point, FOLLETT started asking for pictures of MV5 in her underwear. This progressed to FOLLETT asking for pictures of MV5 naked, which she sent to him. MV5 indicated that she felt like if she did not send the pictures, she did not know how FOLLETT would react.

80. MV5 indicated that she had a full-body mirror and would take a picture of herself using her iPhone while in front of the mirror and send the picture to FOLLETT *via* Snapchat. MV5 advised that FOLLETT sometimes screen-shotted her pictures. FOLLETT was the first person MV5 ever sent those kinds of pictures to.

81. MV5 indicated that FOLLETT never told her to pose in any certain way in nude pictures. MV5 indicated that FOLLETT would tell her that he liked the nude pictures and would thank her for them.

82. MV5 also indicated that FOLLETT sent her approximately four videos of himself lying on his bed under a blanket while he masturbated.

83. MV5 reviewed a "selfie" photo and identified the individual in the picture as herself. MV5 recognized the shirt because she won it from a science fair in middle school. MV5 recalled taking the photo in her bathroom.

Minor Victim 6

84. While reviewing Motorola Cell Phone 1 and Motorola Cell Phone 2, I observed a number of images and videos that appeared to depict the same minor female, subsequently identified as Minor Victim 6 (hereinafter “MV6”). I reviewed the images and videos and describe two videos as follows:

- a. “0883b767-6a78-40bb-a7bd-ebca04c78447.mp4” – A video depicting MV6 sitting on her bed masturbating with her vagina exposed. (Created 3/12/2016)
- b. “493927e8-3d83-457e-be92-4b8c6c867f24.mp4” – A video depicting MV6 masturbating in the bathtub with her vagina exposed. (Created 6/27/2016)

85. Based on my training and experience, I believe that both videos constitute child pornography, as defined by Title 18, United States Code, Section 2256(8).

86. I also found Kik conversations between a username (subsequently identified as MV6’s username) and “mattsurman96.” In one of these conversations, dated August 14, 2016, “mattsurman96” says “I’d love to see more of my sexy little kitten.”

87. Based on social media usernames that were visible in some of the images and contact information and conversations saved in the phones, I was able to identify MV6.

88. On February 15, 2022, I interviewed MV6, who is now an adult.

89. During the interview, MV6 indicated that, when she was approximately 14 to 16 years old, she communicated with an individual online whom she knew as “Matt.” MV6 further acknowledged she was communicating with “Matt” on the social media application KIK and identified the username associated with “Matt” as being “mattsurman96.” MV6

indicated that "Matt" was her "first internet boyfriend" and that "Matt" was from Rochester, NY and that she believes he was either 15 or 16 years old.

90. MV6 further indicated that she told "Matt" that she was 14 years old at the time and talked with "Matt" about school. MV6 went on to say that "Matt" was the first person she had ever sent a "nude" too.

91. MV6 acknowledged sending photographs and videos to "Matt" and further indicated that "Matt" directed her to do certain things in the videos such as masturbating with a dildo and a hairbrush.

92. MV6 indicated that once she sent a nude photograph to "Matt," he expected MV6 to send nudes to him all the time. MV6 further indicated that "Matt" only wanted to talk if the conversation was sexual in nature and indicated that "Matt" would talk about being rough sexually.

93. MV6 went on to say that "Matt" used the nickname "kitten" for her. MV6 further indicated that "kitten" was a signal from "Matt" that he was in the "mood," and it was time for MV6 to send him a video. MV6 went on to say that "boobs" were not enough for "Matt" and that he expected to see "vagina" and "ass." MV6 went on to say that "Matt" had a sexual pleasure/kink of being "very dominant." When asked what MV6 meant by this, MV6 indicated that "Matt" was very firm and that it was "his way or the highway" and that "Matt" became aggressive towards the end.

94. MV6 was shown six videos that were retrieved from Motorola Cell Phone 1. MV6 identified herself as the female depicted in each video and indicated that she took the videos at the request of "Matt." MV6 indicated she was 16 years old in each of the videos.

95. On February 8, 2022, a subpoena was sent to KIK requesting subscriber information and IP logs associated with the KIK account "mattsurman96" that had been identified by MV6. In its response, KIK identified IP address 50.48.157.135, dated 02/16/2020, as being associated with the KIK account "mattsurman96".

96. On February 16, 2022, a subpoena was sent to Frontier Communications for subscriber information associated with the IP address 50.48.157.135 on 02/16/2020. According to Frontier Communications, that IP address was registered to FOLLETT's father at 25 Wilsonia Road.

Minor Victim 7

97. While reviewing the extraction of the Motorola Cell Phone 1, I observed a text message thread containing approximately 7,125 messages between FOLLETT and Minor Victim 9 (hereinafter "MV9"). Within that thread, I observed the following conversation:

MV9 – "Have you ever done anything with someone my age"

FOLLETT – "When I was 25 I did with a 16 yr old"

MV9 – "Haha that's about when we started talking"

FOLLETT – "Yea lol"

MV9 – "She'd be 20 now. That's crazy. I wish I lived closer so we could do

some things”

FOLLETT – “Yea she worked for me and we did a lot lol. That was before I met you”

MV9 – “Haha hmm a lot like freaky things?”

FOLLETT – “Kinda lol we did some things at work and yea it was really good but she wasn’t really into the rough stuff that much”

MV9 – “I’m surprised nobody caught you guys lol. You’re pretty brave to do things at work”

FOLLETT – “She gave me a bj while I took a phone order in the office lol”

98. In this conversation, FOLLETT sent a photograph of a female that he claimed to have had sex with (later identified as Minor Victim 7 (“MV7”)). FOLLETT further stated, “I used to have pictures of her when she was younger, but I don’t think I do anymore.”

99. Using this picture and FOLLETT’s past employment information, I was able to identify MV7 and speak with her.

100. During our conversation, MV7 confirmed that she had sex with FOLLETT on multiple occasions when she was 16 and 17 years old. MV7 indicated that she believed FOLLETT was 25 years old when this took place.

Minor Victim 8

101. While reviewing the Motorola Cell Phone 1 and Motorola Cell Phone 2, I observed approximately 78 images and 2 videos of what appeared to be the same minor female, subsequently identified as Minor Victim 8 (hereinafter “MV8”). In some of these

images and videos, MV8 is naked, and her breasts and buttocks are exposed. In one of the videos, MV8 is topless and licking whipped cream off her exposed breast.

102. Using social media usernames that were visible in the images and saved in the contacts and conversations, I was able to identify MV8, who is now an adult.

103. MV8 was interviewed on February 22, 2022. During this interview, MV8 confirmed that she used to converse with an individual using username “mattsurman96” on Kik and Snapchat when she was approximately 15 to 17 years old.

104. MV8 was shown the images and videos referenced in Paragraph 101, above, and confirmed that she was the minor female depicted in them.

Minor Victim 9

105. While reviewing the Western Digital My Passport Ultra external hard drive, Motorola Cell Phone 1, and Motorola Cell Phone 2, I observed approximately 1,020 images and 32 videos of what appeared to be the same minor female, subsequently identified as Minor Victim 9 (hereinafter “MV9”). In some of these images and videos, MV9 is naked, and her breasts and/or vagina are exposed.

106. While reviewing Motorola Cell Phone 2, I observed Instant Messages between FOLLETT and a user with the same first name as MV9. This conversation contained approximately 607 messages, some of which had attachments. The attachments included images of a male that I know to be FOLLETT and a female that I know to be MV9.

107. Below are a select few messages FOLLETT sent to MV9 during that conversation:

FOLLETT – “And you were a bad girl ignoring me and you’re going to be punished for it”

FOLLETT – “You need to be punished. You want to be my little girl and earn my trust then you’ll do it. You want to ignore me and not talk and let me help you maybe next time I’ll find another little girl to be my princess since I’ve tried so hard with you and you just push me away.”

FOLLETT – “And you’re going to wear your gray leggings and boy shorts and a tank top with no bra and get naked for me on your knees and say you’re sorry for ignoring me and tell me how bad you want my dick and to be my good little girl”

FOLLETT – “You used to send me pictures and videos often and now you seem like you don’t want to”

FOLLETT – “Why don’t you play with yourself and show me”

108. Similarly, while reviewing the Motorola Cell Phone 1, I observed Instant Messages between FOLLETT and a user with the same first name as MV9. This conversation contained approximately 7,125 messages, some of which had attachments. I reviewed the attachments and observed images of a male I know to be FOLLETT and a female I know to be MV9.

109. A few of the messages are excerpted below:

FOLLETT – “How old are you now?”

MV9 – “Haha seriously? You’ll have to figure it out... I remember how old you are”

FOLLETT - "Haha 16?"

FOLLETT - "Don't remind me how old I am lol"

MV9 - "Sure"

FOLLETT - "Or 17?"

MV9 - "Yes"

FOLLETT - "I can't believe it's been four years of us knowing each other. I still really want to meet you if you don't already have a boyfriend lol"

FOLLETT - "I've been looking at old pictures of you a lot lately"

FOLLETT - "I want to be your first everything princess"

FOLLETT - "Ugh I want to grab that ass so badly"

MV9 - "I think it got smaller"

FOLLETT - "You could pull them down and show me and I'll let you know lol"

MV9 - "You saw last night.."

FOLLETT - "My memory is a little fuzzy and I always wanna see the booty lol"

FOLLETT - "I've seen you naked before"

FOLLETT - "You wanna see how hard you make me princess"

FOLLETT - "Did see my dick and face make you horny little girl"

FOLLETT – “Pull them and your underwear down and show daddy where you need to be spanked”

FOLLETT – “Just wait until you feel it inside you.. How many fingers can you fit in that pussy little girl”

FOLLETT – “I’m going to be thirty soon (sad face emoji)

MV9 – “Haha so do you like younger girls like my age better”

FOLLETT – “Yea I guess so”

MV9 – “Do you like innocence”

FOLLETT – “What do you mean”

MV9 – “Is that why you like younger girls? Lol”

FOLLETT – “Yea. Sure”

MV9 – “I was just curious is all sorry I asked”

FOLLETT – “I like being in control. I’m just attracted to young girls more. I still think about the pictures you used to send me.”

MV9 – “Well I just feel like you want me mostly because of how old I am. Like its intriguing to get an innocent girl and corrupt her and fuck her”

110. The Motorola Cell Phone 1 contained a second set of Instant Messages between FOLLETT and a user with the same first name as MV9. This conversation was approximately 2,623 messages, some of which included attachments.

111. Below are excerpts from that conversation:

FOLLETT – “I’m going to be more demanding and in control of you now and if you disobey me there will be punishments little girl”

FOLLETT – “I can’t wait to cum all over your face while you’re on your knees for me princess”

FOLLETT – “Show me your butt in those jeans then put those leggings on for daddy”

FOLLETT – “Don’t do them so quickly other wise I can’t save them and turn around and show me how amazing your butt looks pricness”

FOLLETT – “That picture with you in a thong and no bra was sooooooo sexy”

FOLLETT – “Thank you princess and every time I see your butt I just want it on my face with my tongue in your pussy”

FOLLETT – “Ughhhh that second picture you sent with your legs spread omg your making me so horny at work”

FOLLETT – “You’re going to show me your bra and underwear each day. If you want to touch yourself you’ll ask for permission first. If my little girl want to touch herself for daddy you will earn it and show me when you do. Do you understand princess?”

MV9 – “Thank you daddy. So i have to do 2 videos tomorrow right”

FOLLETT – “Yes princess”

MV9 – “Do i really have to spread my butt. That is so embarrassing ya know”

FOLLETT – “You’ll spread it for me eventually when I pull my dick out and slide it into your ass little girl”

FOLLETT – “I own you and that pussy little girl”

FOLLETT – “If you want to play with yourself today you’ll ask me and you’ll show me a video of it”

FOLLETT – “Your pussy is so sexy little girl I loved the video and it makes me want to lick and suck on it soooooo bad”

FOLLETT – “Rather have some little girl push your head down on me”

FOLLETT – “And younger the better princess”

MV9 – “Do you wish I was younger daddy”

FOLLETT – “Sometimes yes”

MV9 – “Why daddy? I don’t understand daddy”

FOLLETT – “I just like young girls I guess. You’ll always be my good little girl though”

MV9 – “How young would you go daddy”

FOLLETT – “Probably 11 or 12”

FOLLETT – “You don’t think it’s weird I’m attracted to young girls?”

MV9 – “No daddy. Why?”

FOLLETT – “Most people do I guess..i went to the beach tonight and there was this young girl I saw in her bikini and immediately thought about you two on your knees for me”

FOLLETT – “I want to force some young girl to make you suck my dick”

FOLLETT – “I saw some girl at the lake today in boy shorts and a bikini top and was like 11 and I thought about her naked pushing your head down on my dick”

FOLLETT then sent a picture of an approximately 11-year-old girl wearing boy shorts and a bikini top to MV9.

112. On March 10, 2022, MV9 was interviewed by a Special Agent with the FBI.

113. MV9 said she met FOLLETT online in a chat room on a website called Omegle when she was 13 years old. FOLLETT told MV9 that he was nineteen years old. MV9 further acknowledged communicating with FOLLETT on KIK, Snapchat, text messages, and telephone calls.

114. MV9 knew FOLLETT lived in Rochester, New York, utilized the username "kinkbmx023," and had the phone number (XXX) XXX-2924.

115. MV9 indicated that FOLLETT asked her to send him naked pictures of herself. MV9 said she sent photos and videos to FOLLETT that depicted her without clothes or doing sexual things. MV9 indicated she sent the photos and videos through KIK, Snapchat, text messaging, and a Google drive account.

116. MV9 advised that FOLLETT had sent her photos and videos of himself naked and doing sexual things.

117. MV9 advised she quit communicating with FOLLETT for a period of time because she wanted to stop sending him pictures.

118. MV9 was shown nine separate photographs that were retrieved from FOLLETT's devices and she identified herself in each photograph.

119. MV9 was shown six separate photographs of males and identified FOLLETT.

120. On March 31, 2022, MV9 spoke with the same FBI Special Agent a second time and informed him that she only sent naked photographs of herself to FOLLETT and had never sent those types of photographs to anyone else.

Minor Victim 10

121. While reviewing the Western Digital My Passport Ultra external hard drive and the Motorola Cell Phone 1, I observed approximately 71 images and 1 video of what appeared to be the same minor female, subsequently identified as Minor Victim 10 (hereinafter “MV10”). I reviewed the images and video and describe one as follows:

- a. “IMG_7207-1.qt” – A video depicting a female approximately 11-13 years old with her vagina and breasts exposed. During the video, this female is dancing in what appears to be a bedroom.

122. Based on my training and experience, I believe the video constitutes child pornography, as defined by Title 18, United States Code, Section 2256(8).

Minor Victim 11

123. While reviewing the Western Digital My Passport Ultra external hard drive and the Motorola Cell Phone 1, I observed approximately 23 images of what appeared to be the same minor female, subsequently identified as Minor Victim 11 (hereinafter “MV11”). I reviewed the images and describe one as follows:

- a. “54fd9395-270b-4554-9c2e-f9d70303b733.jpg” – An image depicting MV11 wearing what appears to be underwear. MV11 is using one hand to lift her underwear and partially expose her vagina. MV11 also has a hand in her underwear, touching her vagina.

124. Based on my training and experience, I believe that this image constitutes child pornography, as defined by Title 18, United States Code, Section 2256(8).

125. Using a combination of details observed in the images and open-source search, I was able to identify MV11.

126. On February 8, 2022, MV11 was interviewed by a Child/Adolescent Forensic Interviewer (CAFI).

127. MV11 indicated she believed she began talking with people online when she had just turned sixteen years old, between her sophomore and junior year of high school.

128. MV11 indicated that she thought she would tell those she communicated with online her real name but would sometimes vary the age she gave to people. Sometimes she would give her real age (16 years old), but sometimes she said she was older (18 years old).

129. MV11 said that she never wanted to send nude photographs of herself, but people would ask for nude pictures.

130. MV11 was shown the photograph described in Paragraph 123. MV11 indicated that it was taken in her room when she was 15 or 16 years old.

131. MV11 was shown a second image retrieved from FOLLETT's devices, which depicted MV11 wearing what appears to be gray leggings and exposing her breasts. MV11 indicated that this photograph was taken at her mom's house. MV11 further indicated that someone probably asked her to take off her shirt. MV11 believed she was fifteen or sixteen

years old at the time this picture was taken because her belly button was not pierced. MV11 believed she sent this image to someone through the KIK application.

FOLLETT'S ONGOING USE OF HIS SNAPCHAT ACCOUNT

132. Based on records obtained from Snapchat, I am aware that—even after the FBI executed a search warrant at his residence and seized all his electronic devices for further review—FOLLETT has continued to use Snapchat.

133. Records obtained from Snapchat indicated that, as of March 31, 2022, his account remained active:

| Username | Email Address | Display Name | status |
|-----------|------------------------------|--------------|--------|
| kinkbm023 | nfollett.kinkbm023@gmail.com | nathan | Active |

134. Snapchat's records further indicate that, on February 19, 2022, IP address 45.14.195.247 was utilized to access the Snapchat account kinkbm023.

135. Utilizing an open-source search, I determined that IP address 45.14.195.247 was linked to a Virtual Private Network. Based on my training and experience, I know that a “Virtual Private Network” or “VPN” is a digital network that connects to a private network over the internet. It allows remote computers to act as though they were on the same secure, local network, emulating the properties of a point-to-point private link. For example, someone working from home on their home network can connect to their company’s network through a VPN. When a user accesses a website or data through a VPN, it shows the IP

Address of the VPN server the user connected to the website through, not the user's true IP Address. When connecting to the internet through a VPN, a user has the ability to choose the country and city they would like to appear to be from, which can obfuscate their geographic location. Sophisticated cyber-criminals consistently take steps to hide their true identity and the location from which they are accessing online content. These criminals often use VPNs to access online content because they know that subscriber information can and will likely be obtained by law enforcement. This behavior is indicative of an individual attempting to obfuscate their identity and location through technological means.

136. On April 26, 2022, I went on Snapchat and observed the Snapchat account kinkbmx023 was still active.

CONCLUSION

137. Based upon the foregoing, I respectfully submit that there is probable cause to believe that NATHAN FOLLETT committed the TARGET OFFENSES.



Christopher Toscano
Task Force Officer
Federal Bureau of Investigation

Affidavit submitted electronically by email in .pdf format. Oath administered, and contents and signature, attested to me as true and accurate telephonically pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on this 28th day of April 2022.



HON. MARK W. PEDERSEN
United States Magistrate Judge